IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1030 OF 2006
IN
CRIMINAL APPEAL NO. 823 OF 2006.

Vijay Kundlik Shinde ..Applicant
V/s
State of Maharashtra ..Respondents.

WITH
CRIMINAL APPLICATION NO. 1031 OF 2006
IN
CRIMINAL APPEAL NO. 824 OF 2006

Mahadeorao Shatrugan Sutar ..Applicant
V/s
State of Maharashtra ..Respondent

Mr. V.S. Talkute, Advocate for the applicants

Ms. V.S. Gajare, A.P.P. for the State.

CORAM : J.H. BHATIA, J.

DATE : 17TH JANUARY, 2007.

P.C.

. The applicants, who were convicted for the offence punishable under section 494 r/w section 34 of Indian Penal Code and were sentenced to undergo R.I. for 7 years and to pay fine of Rs. 1000/- each. They have preferred two separate appeals challenging

conviction and sentence and appeals are admitted. By these applications, they seek to be released on bail.

2. Heard Mr. Talkute, the learned Counsel for the applicants and Ms. Shilpa Gajare, the learned APP. Perused the evidence. It appears that on 31/10/2005 the complainant, who is a jeweller was proceeding on motorcycle along with his friend. On the way, 4 persons on two motorcycles came near them and dashed the motorcycle of the complainant and after he fell down the bag containing gold and silver ornaments was snatched away. One of the culprits was known to him as Sutar, who is applicant in criminal application no. 1031/2006, as he had been to his shop on the very same day and after taking tea with him, he had also collected information from him as to when he would be leaving the shop. Other three persons including applicant Vijay Shinde were not known to the complainant prior to the incident but he identified him also. Evidence shows that some gold ornaments were recovered on the basis of information given by both the applicants. The applicants are in custody since November, 2005. They were not granted bail even during the trial. Taking into consideration, the circumstances of the offence, I

find that it will not be in the interest of justice to grant bail to the present applicants pending hearing and final disposal of the bail. R & P is already received and appeals may be taken up for final hearing at the earliest.

2. Therefore, the applications stand rejected.

(J.H. BHATIA, J.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 823 OF 2006.

Vijay Kundlik Shinde ..Appellant

V/s

State of Maharashtra ..Respondents.

WITH

CRIMINAL APPEAL NO. 824 OF 2006

Mahadeorao Shatrugan Sutar ..Appellant

V/s

State of Maharashtra ..Respondent

Mr. V.S. Talkute, Advocate for the appellants.

Ms. V.S. Gajare, A.P.P. for the State.

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. R & P is received. The applications for bail pending final hearing disposal of the appeals are rejected. The appeals may be taken up for final hearing at the earliest, as soon as paper books are prepared. The matter be listed for final hearing. If the learned Counsel for the appellants, desires he may also supply private paper book, within three weeks. He may supply single paper book for both the appeals.

(J.H. BHATIA, J.)